

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x : Case No. 10-CV-2818

DAVID I. SAPERSTEIN and CREGG VENTURES LLC

vs.

BAYERISCHE HYPO- UND VEREINSBANK AG,  
NEW YORK BRANCH, BAYERISCHE HYPO- UND  
VEREINSBANK AG, UNICREDIT U.S. FINANCE INC.  
(f/k/a HVB U.S. FINANCE INC. and HVB STRUCTURED  
FINANCE INC.), HVB RISK MANAGEMENT PRODUCTS  
INC., PRESIDIO GROWTH, LLC, PRESIDIO ADVISORY  
SERVICES, LLC, PRESIDIO RESOURCES, LLC,  
and DOES 1 through 100,

Defendants.

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**STIPULATED VOLUNTARY DISMISSAL OF ACTION  
WITHOUT PREJUDICE PURSUANT TO F.R.C.P. 41(A)(1)**

Pursuant to the Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiffs David I. Saperstein and Cregg Ventures LLC, and Defendants Bayerische Hypo- und Vereinsbank AG, New York Branch, Bayerische Hypo- und Vereinsbank AG, Unicredit U.S. Finance Inc. (f/k/a HVB U.S. Finance Inc. and HVB Structured Finance Inc.), HVB Risk Management Products Inc., Presidio Growth, LLC, Presidio Advisory Services, LLC and Presidio Resources, LLC, through their respective counsel, hereby stipulate to the voluntary dismissal, without prejudice, of the above-captioned action. Each party shall bear his or its own attorneys' fees and costs.

DATED: July 27 2010

By Rebecca J. Pilch

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Jeanne E. Irving  
A. Brent Truitt  
Robert W. Mockler  
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DATED: July \_\_, 2010

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UND VEREINSBANK AG, UNICREDIT  
U.S. FINANCE INC., and HVB RISK  
MANAGEMENT PRODUCTS INC.

DATED: July \_\_, 2010

By \_\_\_\_\_

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MANAGEMENT PRODUCTS INC.**

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